
Appeal Decision

Site visit made on 13 May 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2024

Appeal Ref: APP/Z4718/D/24/3336806

Wood Lea, The Cornmill, Stretch Gate, Shelley, Huddersfield HD8 8ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Williams against the decision of Kirklees Council.
 - The application Ref 2023/62/91159/E, dated 17 April 2023, was refused by notice dated 8 November 2023.
 - The development proposed is a single storey lean-to kitchen extension to the rear.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey lean-to kitchen extension to the rear of Wood Lea, The Cornmill, Stretch Gate, Shelley, Huddersfield in accordance with the terms of the application, Ref 2023/62/91159/E, dated 17 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 22007D-01-P01 & 22007D-02-P02.
 - 3) The materials used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing dwelling except where alternative details are specified on the approved plans.

Main Issues

2. The main issues are:
 - Whether the proposed extension would be inappropriate development in the Green Belt and, if so, whether other considerations clearly outweigh the harm to the Green Belt, and any other harm, so as to amount to very special circumstances; and
 - The effect on the character and appearance of the area.

Reasons

3. The proposal would result in the remodelling of the existing rear porch and the provision of a single storey, lean-to, rear extension to this dwelling which is situated in the Green Belt.
-

Whether inappropriate development

4. Policy LP57 of the Kirklees Local Plan 2019 (LP) sets out that extensions to buildings in the Green Belt will normally be acceptable provided they meet certain criteria. Of particular relevance, part (a) requires that the original building remains the dominant element both in terms of size and overall appearance; and that the cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building.
5. The *National Planning Policy Framework 2023 (Framework)* advises that new buildings in the Green Belt should be regarded as inappropriate unless they fall within a specified exception. The relevant exception is that an extension would not result in disproportionate additions over and above the size of the original building. The *Framework* does not specify a figure as to what represents disproportionate additions.
6. The property is made up of a converted range of farm buildings that have been extended to create a dwelling, including a closely related garage building. The appellant has provided a document, described as being sent from the planning officer to the appellant which sets out volumetric calculations. This document is referenced in the officer's report. The volumetric calculations refer to the historic buildings, the additions accepted by planning permission and the current proposal. The appellant agrees with these calculations with regard to the original buildings having a volume of about 1980m³ and the additions resulting from the conversion, totalling 846m³. It is agreed that these represented an increase in volume of 43%.
7. The council's calculation of the volume of the proposed extension is 772.98m³ which was shown as resulting in an increase over and above the original buildings of 82%. There is clearly an error in these calculations as the width of the extension is shown as 8.5m, which together with the existing rear porch would represent about 11m. The depth is shown as being just below 3m and the council report that its height would rise from 2.75m to 3.7m. The appellant advises that the existing rear porch is 21m³ and whilst this would be subsumed within the new extension, the two structures together would total 107m³. This figure reflects the magnitude of the structure shown on the plans. On the basis of this figure, it has been calculated by the appellant that the increase in size of the additions, in combination, would therefore be 932m³ and that this would represent an increase in volume over the original buildings of 47%. The council have not had the opportunity to confirm these revised figures, but they appear to accurately reflect the detail on the plans. The very limited percentage increase also reflects that what is proposed would be a very limited addition to what is a very substantial property overall.
8. The council accepted in 2011 a similar rear extension in the same location which was not built. It is shown as having the same form but different materials. It would have been a similar depth from the rear of the main building but it would have extended about 6.7m along the rear elevation compared to the current proposal which would extend about 11m. The appellant has calculated that that extension would have resulted in a cumulative increase in volume of 45%. The development plan policies and

government guidance at that time, which have been provided, do not appear to significantly differ from the current policy position. That decision notice (2011/62/91865/E) included a note advising that the single storey extension would not be disproportionate in scale to the original dwelling, taking into consideration previous additions when the farm building was originally converted to a dwelling.

9. With regard to LP policy LP57(a), the current proposal would represent a relatively modest lean-to extension to the rear of this large property. Being single storey and less than half the width of the two storey elevation, it would be entirely subservient in terms of scale. The original building, to which it would be attached, would clearly remain the dominant element both in terms of size and overall appearance. With regard to the previous extensions, the addition of the large atrium was contained between the historic buildings in the group which reduced the perceived scale of the additions overall and ensured that the historic buildings remained dominant. In these circumstances and given the limited scale of this addition, the extensions in combination would not significantly alter the scale of development overall and the original buildings would continue to remain entirely dominant. The proposal therefore satisfies LP policy LP57(a).
10. With regard to the exception set out in the *Framework*, the works would increase the footprint of the main building by only a very limited amount in an area that is already largely surfaced. The original conversion and extensions resulted in an increase in volume of 43%. This proposal would increase that to about 47%. Given what the council accepted as part of the original conversion; and also the expired similar extension permission, I am not persuaded that the extensions, when taken together, would represent disproportionate additions when compared to the original group of buildings. The proposal would therefore fall within the exception set out in the *Framework*.
11. The proposed extension would not result in disproportionate additions and would not therefore, represent inappropriate development in the Green Belt.

Character and appearance

12. The proposed extension would be set to the rear of the property and would be a high-quality addition in terms of materials and design. It would be entirely subservient in scale to the main structure of the house and it would sit unobtrusively within the enclosed rear garden. It would not detract from the appearance of the property or result in harm to the character or appearance of the area. It would not therefore conflict with the design elements of LP policies LP57(c & d) or LP24(a & c) as the design and materials would be of a high quality; the original buildings would remain the dominant elements both in terms of size and overall appearance; and the impact on openness in terms of the treatment of outdoor areas, including hard standings, would not significantly change. The proposal would accord with the design objectives of the council's House Extensions and Alterations Supplementary Planning Document 2021.

Conclusions

13. The proposal falls within the categories of development that are acceptable in the Green Belt as set out in the development plan and the *Framework*. The

extension, in combination with the others, would not therefore represent inappropriate development and very special circumstances would not be required to justify it. Its scale and design would ensure that there would be no harm to the character or appearance of the historic elements of this property or the wider area. As there are no matters that weigh significantly against the proposal, I allow the appeal.

14. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. The application form sets out that the walling material would match the existing house and the plans specify the other materials to be used. I have therefore required that the materials match, except where specified by the approved plans, to ensure that the development would have a satisfactory appearance.

Peter Eggleton

INSPECTOR